

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

ANITA D. PERKINS,

Plaintiff,

No. 06:13-cv-00985-PK

v.

CAROLYN W. COLVIN, Acting  
Commissioner of Social Security,

ORDER

Defendant.

HERNANDEZ, District Judge:

Magistrate Judge Papak issued a Findings & Recommendation (#21) on August 15, 2014, in which he recommends the Court affirm the Commissioner's denial of Plaintiff's applications for disability insurance benefits and supplemental security income. Plaintiff has timely filed objections to the Findings & Recommendation. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

When any party objects to any portion of the Magistrate Judge's Findings & Recommendation, the district court must make a *de novo* determination of that portion of the

Magistrate Judge's report. 28 U.S.C. § 636(b)(1); Dawson v. Marshall, 561 F.3d 930, 932 (9th Cir. 2009); United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc).

I have carefully considered Magistrate Judge Papak's objections and conclude there is no basis to modify the Findings & Recommendation. I have also reviewed the pertinent portions of the record *de novo* and find no other errors in the Magistrate Judge's Findings & Recommendation.

As to Plaintiff's challenge to this Court's Standing Order addressing the Commissioner's consent to Magistrate Judge jurisdiction, Standing Ord. 3:06-mc-9130, I reject Plaintiff's arguments for the reasons articulated by the Commissioner. As to Plaintiff's arguments regarding the ALJ's determinations based on the medical evidence, my review of any Findings & Recommendation in a social security case to which objections have been filed, includes an independent review of the entire Administrative Record and thus, I reviewed, *inter alia*, all of the medical evidence exhibits as well as the transcript of the hearing before the ALJ. I agree with Judge Papak that the ALJ did not err in his interpretation of the opinions rendered by Dr. Wible and Dr. Scott. I also agree with Judge Papak that any error by the ALJ in interpreting Dr. Fleischman's opinion to indicate that Plaintiff could work full-time, was harmless. I further agree with Judge Papak that while the ALJ improperly ignored Dr. Colfer's opinion, the appropriate analysis is contained in Molina v. Astrue, 674 F.3d 1104 (9th Cir. 2012), and applying that analysis, the ALJ's error was harmless. Finally, I agree with Judge Papak that the ALJ did not err in finding Plaintiff's assertion that she could not work full-time, not credible.

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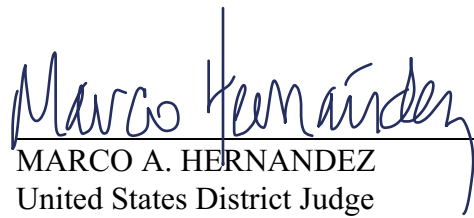
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CONCLUSION

The Court ADOPTS Magistrate Judge Papak's Findings & Recommendation [#21], and therefore, the Commissioner's denial of Plaintiff's applications for disability insurance benefits and supplemental security income is affirmed.

IT IS SO ORDERED.

DATED this 26 day of Oct, 2014.

  
MARCO A. HERNANDEZ  
United States District Judge